



WAUKESHA COUNTY BOARD MINUTES

2nd Meeting, 176th Year of the Waukesha County Board of Supervisors
Tuesday, May 25, 2021 – 7:00 p.m.
Waukesha County Courthouse – Room 350

CONVENE MEETING

Call to Order: Chairman Decker called the meeting to order at 7:00 p.m. and led the Board in the Pledge of Allegiance and a moment of silent prayer.

Roll Call: Supervisors Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson were present.

County Clerk Correspondence & Announcements: County Clerk Wartman announced that County Executive Farrow signed all ordinances from April 27, 2021 Board meeting and that four claims had been filed since the April 27, 2021 Board meeting.

Approval of the minutes: Supervisor Paulson moved approval of the Minutes from the April 27, 2021 board meeting. Supervisor Johnson seconded the motion. The Board was polled and the motion carried by a unanimous voice vote.

Announcement of Votes needed: Chairman Decker announced that ordinances 176-O-014, 176-O-017, and 176-O-018 required seventeen (17) votes. All other votes required a simple majority.

SCHEDULED ITEM

Resolution 176-R-002: Termination Of State Of Emergency Regarding COVID-19

Supervisor Wolff moved to approve Resolution 176-R-002: Termination Of State Of Emergency Regarding COVID-19. Supervisor Dondlinger seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Resolution passed unanimously. Chairman Decker asked the Board if there was any objection to sending the Resolution to the County Executive for immediate consideration. Hearing no objection, the County Clerk was directed to send the Resolution to the County Executive for immediate consideration.

STANDING COMMITTEE PRESENTATIONS OF ORDINANCES, RESOLUTIONS & MOTIONS

Land Use, Parks & Environment Committee

Ordinance 176-O-011: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 31, T8N, R19E, Town Of Lisbon, Waukesha County,

Wisconsin, From The AD-10 Agricultural Density 10-Acre District To The R-2 Single Family Residential District

Supervisor Mitchell moved to approve Ordinance 176-O-011: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 31, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The AD-10 Agricultural Density 10-Acre District To The R-2 Single Family Residential District. Supervisor Batzko seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-012: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 7, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The R-1 Suburban Single Family Residential District

Supervisor Mitchell moved to approve Ordinance 176-O-012: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 7, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The R-1 Suburban Single Family Residential District. Supervisor Morris seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-013: Amend The Text Of The Town Of Lisbon Zoning Code By Repealing And Recreating Various Sections Of Chapter 11 Relating To Conditional Uses

Supervisor Mitchell moved to approve Ordinance 176-O-013: Amend The Text Of The Town Of Lisbon Zoning Code By Repealing And Recreating Various Sections Of Chapter 11 Relating To Conditional Uses. Supervisor Zimmermann seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-014: Modify 2021 Budget For Capital Project 202104, Pewaukee Lake Boat Launch Reconstruction

Supervisor Mitchell moved to approve Ordinance 176-O-014: Modify 2021 Budget For Capital Project 202104, Pewaukee Lake Boat Launch Reconstruction. Supervisor Howard seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-015: Authorize Department Of Parks And Land Use To Acquire Property Interests From Kevin Leitermann Properties, LLC To Complete The Pewaukee To Brookfield Trail Project Waukesha County Project I.D. #2718-14-01

Supervisor Mitchell moved to approve Ordinance 176-O-015: Authorize Department Of Parks And Land Use To Acquire Property Interests From Kevin Leitermann Properties, LLC To Complete The Pewaukee To Brookfield Trail Project Waukesha County Project I.D. #2718-14-01. Supervisor Swan seconded the motion.

The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-016: Repeal And Recreate Chapter 14, Article II, Sections 14-164(i) And 14-165 Of The Code Of Ordinances To Prohibit The Use Of Motor Vehicles On Recreational Trails And To Authorize The Operation Of Class 1 Electric Bicycles On All Waukesha County Recreational Trails And Designated Waukesha County Park Mountain Bike Trails

Supervisor Mitchell moved to approve Ordinance 176-O-016: Repeal And Recreate Chapter 14, Article II, Sections 14-164(i) And 14-165 Of The Code Of Ordinances To Prohibit The Use Of Motor Vehicles On Recreational Trails And To Authorize The Operation Of Class 1 Electric Bicycles On All Waukesha County Recreational Trails And Designated Waukesha County Park Mountain Bike Trails. Supervisor Dondlinger seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Public Works Committee

Resolution 176-R-001: Resolution Requiring The Repair Of An At-Grade Crossing, CTH O (Moorland Road) 0.5 Miles South Of STH 59 In The City Of New Berlin, Crossing 1772861L

Supervisor Swan moved to approval Resolution 176-R-001: Resolution Requiring The Repair Of An At-Grade Crossing, CTH O (Moorland Road) 0.5 Miles South Of STH 59 In The City Of New Berlin, Crossing 1772861L. Supervisor Wysocki seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Resolution passed unanimously.

Ordinance 176-O-017: Modify The 2021 Department Of Public Works, Airport Operations Fund Budget Revenues And Expenditures To Replace Control Tower Windows And Accept Federal Coronavirus Response And Relief Supplemental Appropriation Act Grant Funding

Supervisor Swan moved to approval Ordinance 176-O-017: Modify The 2021 Department Of Public Works, Airport Operations Fund Budget Revenues And Expenditures To Replace Control Tower Windows And Accept Federal Coronavirus Response And Relief Supplemental Appropriation Act Grant Funding. Supervisor Crowley seconded the motion. The Board was polled and twenty-four (24) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Whittow, and Johnson) and one (1) vote was cast 'nay' (Hammitt). The Ordinance passed 24 – 1.

Ordinance 176-O-018: Modify The 2021 Transportation Fund Budget To Appropriate Expenditures To Purchase Equipment To Be Used In Highway Operations

Supervisor Swan moved approval of Ordinance 176-O-018: Modify The 2021 Transportation Fund Budget To Appropriate Expenditures To Purchase Equipment To Be Used In Highway Operations. Supervisor Johnson seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff,

Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-019: Modify Speed Zone On CTH Y Between Apollo Drive And 300 Feet South Of Cardinal Drive

Supervisor Swan moved to approve Ordinance 176-O-019: Modify Speed Zone On CTH Y Between Apollo Drive And 300 Feet South Of Cardinal Drive. Supervisor Hammitt seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-020: Modify Speed Zone On CTH SR Between Watertown Road And CTH JJ

Supervisor Swan moved to approve Ordinance 176-O-020: Modify Speed Zone On CTH SR Between Watertown Road And CTH JJ. Supervisor Walz seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-021: Modify Speed Zone On CTH E Between Center Oak Road And CTH VV

Supervisor Swan moved approval of Ordinance 176-O-021: Modify Speed Zone On CTH E Between Center Oak Road And CTH VV. Supervisor Morris seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Ordinance 176-O-022: Modify Speed Zone On CTH JJ Between USH 18 And CTH SR

Supervisor Swan moved approval of Ordinance 176-O-022: Modify Speed Zone On CTH JJ Between USH 18 And CTH SR. Supervisor Howard seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously.

Executive Committee

Appointment 176-A-006: Rebecca DeLonge to the Pauline Haas Public Library Board of Trustees

Supervisor Heinrich moved to approve Appointment 176-A-006: Rebecca DeLonge to the Pauline Haas Public Library Board of Trustees. Supervisor Paulson seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Appointment passed unanimously.

Ordinance 176-O-023: Amend Article III, Division 2 Of Chapter 4 Of The Waukesha County Code Of Ordinances - County Board Rules Of Order

Supervisor Henrich moved to approve Ordinance 176-O-023: Amend Article III, Division 2 Of Chapter 4 Of The Waukesha County Code Of Ordinances - County Board Rules Of Order. Supervisor Wolff seconded the motion. The Board was polled and eighteen (18) votes were cast 'aye' (Foti, Zimmermann, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mitchell, Crowley, Paulson, Nelson, Gaughan, Wysocki, and Whittow) and seven (7) votes were cast 'nay' (Morris, Batzko, Mommaerts, Cummings, Schellinger, Hammitt, and Johnson). The Ordinance, as twice amended, passed 18 – 7.

Supervisor Paulson moved Amendment One, deleting the word 'not' from line 30 and adding the language 'except during any portion of the meeting closed pursuant to Wis. Stat. § 19.85(1)(a) to line 30'. Amendment language was at supervisors' desks. Supervisor Wolff seconded the motion. The Board was polled and twenty-four (24) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, and Whittow) and one vote was cast 'nay' (Johnson). Amendment One passed 24 – 1.

Supervisor Swan moved Amendment Two, adding language that the Ordinance would go into effect with the 177th County Board year. Amendment language was at supervisors' desks. Supervisor Mitchell seconded the motion. The Board was polled and seventeen (17) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Walz, Michalski, Swan, Mommaerts, Mitchell, Crowley, Paulson, Cummings, Schellinger, Wysocki, Hammitt, Whittow, and Johnson) and eight (8) votes were cast 'nay' (Dondlinger, LaFontain, Heinrich, Howard, Wolff, Decker, Nelson, Gaughan). Amendment Two passed 17 – 8.

Judiciary & Law Enforcement Committee

Ordinance 176-O-024: First Amendment To Lease Agreement With Cellco Partnership d/b/a Verizon Wireless

Supervisor Wolff moved to approve Ordinance 176-O-024: First Amendment To Lease Agreement With Cellco Partnership d/b/a Verizon Wireless. Supervisor Howard seconded the motion. The Board was polled and twenty-five (25) votes were cast 'aye' (Foti, Zimmermann, Morris, Batzko, Dondlinger, Walz, LaFontain, Michalski, Heinrich, Swan, Howard, Wolff, Decker, Mommaerts, Mitchell, Crowley, Paulson, Nelson, Cummings, Schellinger, Gaughan, Wysocki, Hammitt, Whittow, and Johnson). The Ordinance passed unanimously. Chairman Decker asked the Board if there was any objection to sending the Ordinance to the County Executive for immediate consideration. Hearing no objection, the County Clerk was directed to send the Ordinance to the County Executive for immediate consideration.

ADJOURN MEETING

Supervisor Wolff moved to adjourn to 7:00 p.m. on Tuesday, June 22, 2021 or at the call of the County Board Chair. Supervisor Wysocki seconded the motion. By voice vote the Board unanimously approved the motion to adjourn. The Board adjourned the meeting at 8:33 p.m.

Respectfully Submitted.



Meg Wartman
Waukesha County Clerk